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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875

Application or Docket Number

10755,812

**CLAIMS AS FILED - PART I**

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

RATE	FEE
	\$
X \$	=
X \$	=
+ \$	=
TOTAL	

RATE	FEE
	\$
X \$	=
X \$	=
+ \$	=
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**CLAIMS AS AMENDED - PART II**

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	43	28	15
Independent (37 CFR 1.16(b))	6	5	1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$50	= 750.00
X \$200	= 200.00
+ \$360	= 8
TOTAL ADD'L FEE	950.00

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	*	Minus **	=
Independent (37 CFR 1.16(b))	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	*	Minus **	=
Independent (37 CFR 1.16(b))	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 13 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Ramakrishnaiah,  
Melur

Hao Xus et al. ) Docket No.: 291010-00475

Application No. 10/755,812 )

Group Art Unit: 2643 )

Confirmation No.: 3131 )

Filed: January 12, 2004 )

For: Method and System for Supporting )  
Network 3G Data Capability Information )  
in a CDMA Network )

Amendment and Response

January 13, 2006

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 13, 2005, please amend the  
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on  
page 3 of this response.

Remarks begin on page 14 of this response.

If any additional fees are required, the U.S. Patent and Trademark Office is authorized to charge any required fee or credit any overpayment to Deposit Account No. 02-2556 of Eckert Seamans Cherin & Mellon, LLC.

...checking said new system against a PRL table to see if said new system supports third generation data capabilities; if said new system does not support third generation data capabilities, checking whether any system supports third generation data capabilities, and if so performing said starting and checking steps again; and if said new system does support third generation data capabilities, acquiring said new system.

As stated above, Guilford discloses a method and a system wherein a table of preferred networks is provided which may specify whether each network is a 2G or a 3G network. There is no explicit or implicit teaching in Guilford to include information in the preferred network list that indicates whether each 3G network actually supports 3G data services or to check whether the "new system" that is acquired by the mobile device supports 3G data capabilities. Accordingly, Applicants' submit that claims 27 and 28 are not anticipated by Guilford under 35 U.S.C. 102(b).

#### Conclusion

In light of the foregoing amendments and arguments, it is respectfully submitted that claims 1-21 and 23-28, as well as claims 29-44, are in proper form for issuance of a Notice of Allowance and such action is respectfully requested at an early date.

In the event that any outstanding matters remain with this application, examiner is invited to telephone the undersigned at 412-566-1920 to discuss such matters.

Respectfully submitted,



Robert A. Diaz  
Attorney for Applicants